

REMARKSClaim Rejection under 35 U.S.C. 103:

The ground rejection of claims 1-6 under 35 U.S.C. 103(a) as being unpatentable over White (USPN 5,988,415) in view of Leipold (USPN 5,819,994) is respectfully traversed.

With respect to the ground rejection of claims 1-6 under 35 U.S.C. 103(a), examiner indicated that: White discloses "a non-spill water bottle cap" comprising of "a cylindrical plastic tube with a plurality of holes (Figure 2, col. 3 lines 22~24)," "a spherical float inside a plastic tube (42)," "a plastic cap head formed with a cylindrical plastic tube," all of the claimed limitations except the use of a plurality of peepholes within the annular flange. Leipold shows the annular flange (Figure 14) with a plurality of peepholes (40). Therefore, the combination of White and Leipold is obvious to one of ordinary skill in the art at the time of the invention was made to obtain the present invention.

Applicant strongly traverses the ground rejection of claims 1-6 under 35 U.S.C. 103(a), because White and Leipold do not teach "a cylindrical transparent plastic tube (10) with a series of holes (10a) linearly arranged along half of the circumference, midway along length of the cylindrical transparent plastic tube", "an annular flange (13) with a series of circumferential pinholes (13a) therein, located along an edge of the mouth opening of the plastic cap head (30)," and "an annular sealing ridge (12) integrally formed around the circumference of a front inner wall portion of the plastic tube with a spherically curved mating surface for momentarily blocking the water flow path."

In the office action, the examiner indicated that "an edge frame disposed at the end of the cylindrical plastic tube forms an annular flange (32-lip) for retaining a spherical float (42-floating element) inside the cylinder," which is incorrect rejection. In the cited reference, White teaches a lip (32), which is intended to fit over the end (34) of spout (16) (Col. 3, Lines 18~20). It is not the same configuration as the edge frame (11) of the instant invention.

Instead of the lip (32), a removable bar (40) of White disposed opposite side must be corresponded to the annular flange of the present invention.

With respect to the rejection of claim 2, the examiner indicated that "Leipold further discloses the peepholes (40) as being in an annular configuration (Figure 14). It would have been obvious to configure the flange (30?) of White to be oriented obliquely inward in order to provide a better seating surface." It is unclear which item, the flange (32-lip) or wall (30) of White does the examiner intend to discuss. However, there is no understandable and reasonable motivation to combine the flange (32) or wall (30) of White in view of the peepholes (40) of Leipold for obtaining an annular flange (13) of the present invention, which is oriented obliquely inward at the mouth of plastic cap head (30). If the flange (32-lip) or wall (30) of White is obliquely bent up with the peepholes of Leipold, it will cause to leak the water through the spout (16) without momentarily blocking the water flow of the water bottle. Furthermore, it is impossible to obliquely orient the cylinder wall (30) of White, and nonsense to have the peepholes on the cylinder wall. The obliquely oriented annular flange of Leipold with the peepholes can not also obtain the inventive configuration of the present invention.

Regarding the rejection of claim 3, the examiner indicated that "an annular sealing ridge (Fig. 2, 30-wall) increasing in thickness as it gets closer to the lip (Figure 2) which would momentarily block the water flow path by contacting a spherical float when the water bottle is inverted to be placed on the water dispenser (Col. 2, lines 6-8)," which is also incorrect rejection. White does not disclose an annular sealing ridge (12) at all, which is formed a segment of semi-spherical shape for contacting the spherical float (20). He shows two different thicknesses of the walls (30, 36) in the first and second portions (26, 28) without teaching any annular sealing ridge of the present invention.

The claims 4 to 6 are also incorrectly rejected because neither White nor Leipold disclose that the annular sealing ridge (12) and the tip of the annular flange (13) are designed

to simultaneously contact the spherical float (20) by water pressure for momentarily blocking the water flow path of the water bottle and the approximate dimensions.

Therefore, it is impossible to simply combine the peepholes of Leipold with the annular flange of White for the purpose of making a present invention.

As discussed above, none of the cited references White (USPN 5,988,415) or Leipold (USPN 5,819,994) alone or in any combinations, teach or obtain the above-discussed limitations of the present invention. Moreover, there are no sensible motivations to combine White (USPN 5,988,415) in view of Leipold (USPN 5,819,994), because the cited references are absent the inventive configurations of the present invention. Even though, in their combination, it is impossible to produce the same features of the present invention.

However, the rejected claims 1-6 are canceled and added the amended claims 7-13 to clarify the claimed subject matter as presented above claim amendment. Therefore, examiner must not ignore the important features of the present invention and recognize the differences between the cited references and the present invention discussed above paragraphs.

Therefore, the applicant believes the present application is now in allowance condition and the Notice of Allowance is respectively solicited.

Respectfully submitted



Peter T. Kwon
Registration No. 45,300

GWIPS

Global Wide International Patent Service
Kangnam P. O. Box, 2301
Seoul 135-242, Republic of Korea
Tel: 82-11-415-6349
Fax: 82-2-581-9900

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